

January 25, 2005

MEMORANDUM FOR: The Record

FROM: Steve Thur
Seagrass Restoration Program
Office of Response and Restoration

SUBJECT: Categorical Exclusion for Small Scale Seagrass Restoration Projects

NOAA Administrative Order (NAO) 216-6, Environmental Review Procedures, requires that all proposed Federal projects be reviewed for their environmental consequences on the human environment. This memo documents the categorical exclusion of seagrass restoration projects in the Florida Keys from the need for an Environmental Assessment. All restoration techniques to be used in the restoration of these injuries are detailed in the Final Environmental Impact Statement for Seagrass Restoration in the Florida Keys National Marine Sanctuary dated August 23, 2004 and included in the Record of Decision for that document dated November 1, 2004.

Over 600 vessels run aground in seagrass-dominated communities in the Florida Keys National Marine Sanctuary each year. Many of these groundings result in injury to Sanctuary resources, destroying seagrass communities as a result of boat motor propeller scars, and/or grounding "blowhole" damage, and/or sediment berms. Propeller scars are formed by the dredging effect of the turning propeller or occasionally the vessel's hull as the boat travels over a shallow bank. A blowhole is formed from the concentrated force of propeller wash, either from the grounded vessel attempting to power off the bank or the propeller wash of the salvage vessel pulling the grounded vessel off the bank. Sediment berms are produced from the sand, coral fragments, and other substrates that typically accumulate around the perimeter of blowholes, thereby burying healthy seagrass.

Pursuant to the National Marine Sanctuaries Act (NMSA), NOAA is authorized to seek damages from the Responsible Parties to restore the injured resources. Accordingly, NOAA has established a program (Mini-312 Program) and is collecting damages to undertake small seagrass restoration projects. Restoration is intended to return the seagrass communities to baseline and to prevent additional injury to seagrass and other Sanctuary resources resulting from subsequent storms or currents. To reestablish seagrass in blowholes, the hole is filled with sediment (where filling is necessary), planted with seagrass, and fertilized to accelerate recovery through the installation of bird roosting stakes (bird stakes). Propeller scar areas generally only require seagrass planting and fertilization. Berms are smoothed to grade, and also planted and staked. Monitoring

of the restoration is necessary to determine whether the projects are providing services in a manner consistent with restoration goals and to assess the potential need for mid-course corrections to ensure that the projects meet restoration performance standards.

The Mini-312 Program currently has restoration plans for three grounding sites¹ throughout the Florida Keys National Marine Sanctuary. All restoration plans involve some combination of fill, seagrass planting, bird staking, and monitoring. The restoration will address a total of 504.61 m² (0.125 acres) of impacted seagrass, and the largest site covers 235.05 m² (0.058 acres). These three sites require a total of 73.53 m³ of sediment fill, and with the largest site requiring 45.53 m³ of this total.

This seagrass restoration pursuant to NMSA is eligible for a categorical exclusion from an Environmental Assessment because the actions meet the following criteria set forth in NAO 216-6, §6.03.b.2:

- 1) are intended to restore an ecosystem, habitat, biotic community, or population of living resources to a determinable pre-impact condition;
- 2) use for transplant only organisms currently or formerly present at the site or in its immediate vicinity;
- 3) do not require substantial dredging, excavation, or placement of fill; and
- 4) do not involve a significant added risk of human or environmental exposure to toxic or hazardous substances.

Consistent with these criteria, the seagrass restoration is to return seagrass habitat to pre-grounding conditions; seagrass transplants will be taken from donor sites proximate to the injury areas; the placement of fill will be minimal and is necessary for seagrass reestablishment; and there is no added risk of human or environmental exposure to toxic or hazardous substances as a result of the restoration. Furthermore, the on-site, in-kind restoration of seagrass meadows is specifically mentioned in the NOAA NEPA guidance as an example action eligible for categorical exclusion (NAO 216-6).

The actions described in this memorandum and any future restoration actions to address new groundings do not individually or cumulatively pose significant impacts on the human environment, and, therefore, are categorically excluded from an Environmental Assessment. The seagrass restoration is limited to three kinds of techniques: sediment fill, seagrass transplants, and bird stakes. In addition, these actions can be implemented quickly – usually within a few days at each site. The bird stakes will remain in place for a period of approximately 18 months. Finally, the restoration actions will occur at very small sites in the Florida Keys. NEPA compliance for restoration at larger sites will be addressed through an Environmental Assessment.

¹ The sites – known by the names of the vessels that grounded there – are the *Jeannie Ann*, *Tico Time*, and FL3774FH. These sites are in addition to nineteen other sites listed in the categorical exclusion memos dated April 2003 and August 4, 2004.

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